

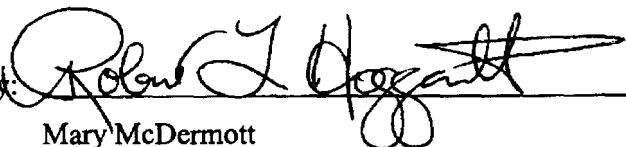
meet demand. There would no longer be any incentives to overestimate needs if the FCC ensured that all carriers have access to adequate numbering resources. In fact, carriers have financial incentives to take only as many codes as they need because there are costs associated with the maintenance of unused codes.

CONCLUSION

For the foregoing reasons, PCIA respectfully requests the FCC first to require rate center consolidation to the greatest extent feasible, and then to explore number optimization means that are consistent with the attached PCIA Blueprint for Efficient Number Utilization. The FCC should adopt mandatory national numbering rules and guidelines governing the allocation and use of numbering resources. In any event, the FCC's primary goal should be to provide carriers with adequate numbering resources to satisfy consumer demand.

Respectfully submitted,

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July 30, 1999

PCIA Blueprint For Efficient Number Utilization

The FCC should, in all circumstances, assure that telephone numbers are available on a timely nondiscriminatory basis. To accomplish this goal:

- The FCC must require the states and, indirectly, the local exchange carriers, to consolidate rate centers to the maximum extent possible, consistent with public safety requirements.
- The FCC must require mandatory 10-digit dialing in areas approaching exhaust, and permissive 10-digit dialing elsewhere.
- The FCC must take action to encourage states to use all-service overlays when implementing new area codes to ensure adequate number resources are available for non-Local Number Portability ("LNP") capable carriers.
- The FCC and the industry must immediately examine the costs and benefits of utilizing the "D" digit, and other technological methods of using central office codes more efficiently, to determine if such use is economically and technically feasible.
- The FCC must require all NXX codes to be utilized within a reasonable period of time with adequate safeguards to reclaim unused codes, including protected codes.

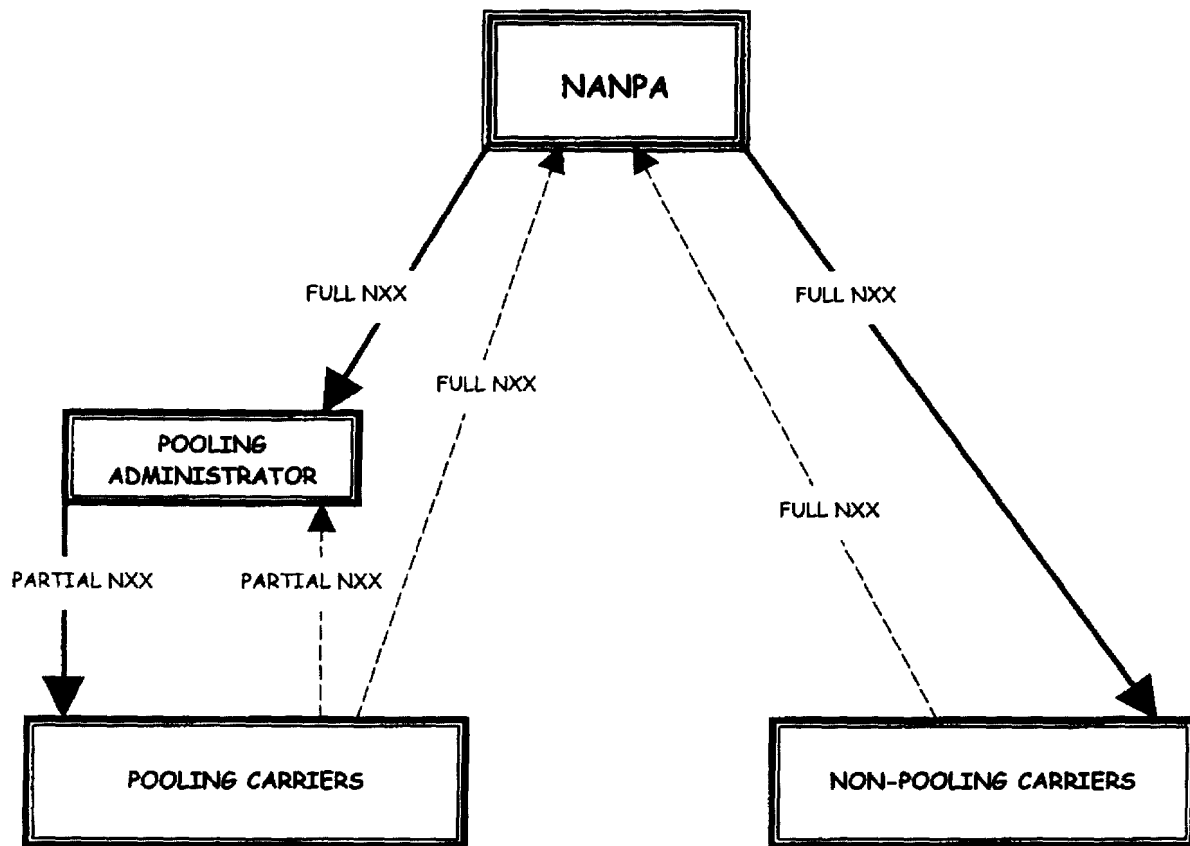
If the FCC requires number pooling as a conservation method, its rules should assure that:

- The Central Office Code Administrator ("CO Administrator") (who administers full NXX codes under federal guidelines) and the Pooling Administrator(s) allocate both full codes and partial codes, respectively, in accordance with number conservation and efficient utilization principles. For example, the Pooling Administrator(s) should be required fully to assign numbers within an NXX code amongst carriers in a rate center before opening the next full NXX code in a rate center for pooling; *e.g.*, use up partial codes before opening whole codes when possible.
- Telecommunications carriers that are not LNP-capable must not be required to take numbers from the pool, or to contribute numbers to

the pool or otherwise participate in pooling in any fashion. These carriers must be able to continue to receive whole 10,000 blocks of numbers available within the NPA from the Central Office Code Administrator.

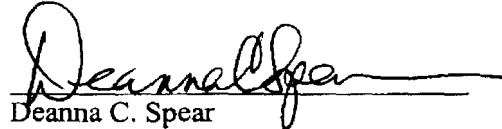
- Prior to implementing pooling, the number of rate centers within the NPA must be reduced to the maximum extent technically feasible, consistent with public safety requirements. Reduction of at least 50% would be considered substantial compliance with this rule. State commissions must be required to certify to the FCC that they have complied with this rule at least 60 days prior to implementing pooling, unless a state commission certifies to the FCC that it is technologically unfeasible to do so because of public safety requirements.
- The CO Administrator shall inform state commissions at least 18 months in advance of forecasted exhaust of an NPA. States, under their delegated authority, shall take all necessary and lawful area code relief steps reasonably available to assure that no rationing is required in order to meet the forecasted demand.
- Unless a specific code relief plan has been ordered by a state commission and is no longer subject to review or appeal, prior to 180 days of predicted NXX exhaust, the Code Administrator or any affected party may petition the FCC automatically to implement area code relief, in the form of an all-service overlay. Mandatory 10-digit dialing would be required to begin no later than the date on which additional area code relief is implemented.

EXHIBIT B
Comments of Personal Communications Industry Association
July 30, 1999



CERTIFICATE OF SERVICE

I, Deanna C. Spear, hereby certify that copies of the foregoing Comments of PCIA re Numbering Service Optimization, CC Docket No. 99-200, were served on July 30, 1999, by messenger to the following persons.


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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
Numbering Resource Optimization)	CC Docket No. 99-200
)	
Connecticut Department of Public Utility Control)	RM No. 9258
Petition for Rulemaking to Amend the Commission's)	
Rule Prohibiting Technology-Specific or Service-)	
Specific Area Code Overlays)	
)	
Massachusetts Department of Telecommunications)	NSD File No. L-99-17
and Energy Petition for Waiver to Implement a)	
Technology-Specific Overlay in the)	
508, 617, 781, and 987 Area Codes)	
)	
California Public Utilities Commission and the)	NSD File No. L-99-36
People of the State of California Petition for)	
Waiver to Implement a Technology-Specific or)	
Service-Specific Area Code)	

**REPLY COMMENTS OF THE
PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION**

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August 30, 1999

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California Public Utilities Commission and the)	NSD File No. L-99-36
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Service-Specific Area Code)	

To: The Commission

**REPLY COMMENTS OF THE
PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION**

The Personal Communications Industry Association ("PCIA"), by its attorneys, hereby respectfully submits its reply comments on the Commission's *Notice of Proposed Rulemaking* ("NPRM") in the above-captioned proceeding.¹

I. INTRODUCTION AND SUMMARY

The comments in this proceeding reflect widespread industry agreement about many of the issues raised in the NPRM. PCIA urges the Commission not to underestimate the

¹ *Numbering Resource Optimization et al.*, Notice of Proposed Rulemaking, CC Docket No. 99-200, RM No. 9258, NSD File No. L-99-17 & NSD File No. L-99-36 (rel. June 2, 1999) ("NPRM").

significance of the consensus among all types of carriers, and even some states, about many of the proposed numbering optimization measures. First and foremost, carriers from every industry segment agree that the Commission must maintain federal leadership and control over numbering issues. The Commission should assert its role immediately, and take all actions necessary to articulate clear rules, methods and processes for numbering administration and optimization. Because time is of the essence, the Commission must expedite this proceeding to the greatest extent possible, giving it the highest priority and concluding it within the next 120 days.

PCIA also urges the Commission to issue an initial order mandating certain number optimization means as soon as possible, even before the Commission is able to conclude this proceeding on an expedited basis. The initial order should mandate number optimization means that enjoy widespread industry support, can be implemented easily, and will assist the Commission and the states to address immediate numbering crises while this proceeding is pending. For example, the Commission should immediately adopt the Hybrid reporting approach recommended in the NANC report. However, the Commission should not take any action at this time that will limit or restrict federal control over numbering administration or that will interfere with the development of a uniform national approach to numbering administration and optimization.

Second, there is widespread industry consensus that further rate center consolidation should be explored, particularly in areas where number pooling is being considered. The Commission has already taken the important step of delegating the authority to the states to consolidate rate centers. Now the Commission should guide the states' use of this authority by requiring state commissions to give rate center consolidation priority over less effective and more onerous forms of number optimization.

Third, the industry is almost unanimous in its opposition to technology-specific overlays. The Commission should embrace this consensus and continue to maintain its current prohibition of technology-specific overlays. As the Commission has repeatedly recognized, technology-specific overlays do not lead to the more efficient utilization of numbering resources, and they discriminate against various types of carriers and consumers. The Commission should use this proceeding to reemphasize its prohibition on technology-specific overlays, reaffirm that it will not consider requests for authority to implement technology-specific overlays under any circumstances, and clarify that states should not waste precious resources considering the potential merits of technology-specific overlays.

Fourth, the comments reflect growing industry consensus for implementation of mandatory ten-digit dialing on a nationwide basis within the next three years. Implementation of mandatory ten-digit dialing would remove the pressure to maintain seven-digit dialing, which is the largest hurdle to implementing area code relief in the form of all-service overlays and adopting the most efficient means of number optimization. Moreover, PCIA, like most carriers, believes that ten-digit dialing is inevitable in the near term, and thus the entire nation will have to learn to dial ten-digits for every call. PCIA submits that the inconveniences, the costs, and the political resistance to ten-digit dialing could all be lessened if the Commission mandates ten-digit dialing throughout the nation, at the same time.

Fifth, PCIA agrees with the idea expressed in many comments that all carriers share an equal responsibility to ensure that numbering resources are utilized efficiently. Not all carriers must, or even can, meet this burden in the same way. As such, PCIA takes no position with respect to whether number pooling should be implemented for wireline carriers. However, PCIA urges the Commission to reiterate that wireless carriers should not, and cannot, be required

to participate in number pooling, as carriers from all industry segments recognize. Nonetheless, wireless carriers should be required to continue to utilize numbers as effectively as carriers that participate in number pooling. Therefore, PCIA supports CTIA's proposal to set the minimum utilization threshold at 60% initially and to increase to 70% over time. In addition, PCIA supports allowing carriers to receive codes when they have less than this utilization rate if: (1) they can show that they will need the code within the ordering interval; and (2) certain recently acquired codes are discarded for purposes of calculating the utilization rate.

Sixth, many carriers agree that the Commission should authorize NANPA to be the sole collector of numbering data. There is a growing trend among the states to request additional information directly from carriers about their utilization of numbering resources. The burden imposed by these individual state data requests is enormous. There is also no guarantee that information provided to states will receive confidential treatment. PCIA urges the Commission to authorize NANPA to be the sole collector of numbering data, and clarify that states have no authority to request numbering utilization data from individual carriers.

Finally, PCIA concurs with the broad consensus that carriers should not be required to pay for numbering resources. Payment for numbering resources is not a valid means of number optimization or allocation. Moreover, requiring carriers to pay for numbering resources would create new entry barriers, inhibit competition, and discriminate against various classes of carriers and consumers.

II. THE COMMISSION MUST ASSUME A STRONG LEADERSHIP ROLE BY EXPEDITING THIS PROCEEDING AND ENSURING UNIFORM NATIONAL NUMBERING GUIDELINES AND ADMINISTRATION

The comments reflect widespread agreement among carriers from all industry segments about the critical need for the Commission to maintain federal leadership and control over numbering issues.² These carriers recognize that Commission involvement is crucial to ensuring a uniform national system of numbering administration that is efficient, economical, and non-discriminatory. PCIA urges the Commission not to lose sight of the absolute importance of a federal numbering scheme and of the primacy of the Commission's role therein. Accordingly, the Commission must take a strong leadership role in developing uniform national number optimization and administration policies, and ensuring that NANP resources are utilized efficiently.

The Commission should assert that role immediately, and take all actions necessary to articulate clear rules, methods and processes for numbering administration and optimization. Time is of the essence, as many numbering optimization measures are most effective on a prospective basis. It is much easier to prevent future causes of artificial numbering exhaust than to address past inefficiencies or reallocate currently assigned numbering resources.³ With each passing day, new carriers enter the market, consumers request new services, and state

² See, e.g., Ad Hoc Telecommunications Users Committee Comments at 3-4; Airtouch Comments at 2-3, 11-14; ALTS Comments at 3; Ameritech Comments at 8, 55; AT&T Comments at 5-11; Bell Atlantic Comments at 12-13; BellSouth Comments at 4-6; Choice One and GST Comments at 2-3; CTIA Comments at 6-7; GTE Comments at 29-30; Level 3 Comments at 8-10; Nextel Comments at 5-9; NEXTLINK Comments at 3-4, 12-13; MCI WorldCom Comments at 45-47; Omnipoint Comments at 2-5; PageNet Comments at 2; RCN Comments at 7-8; Sprint Comments at 6; Time Warner Comments at 4-5; US West Comments at 2-3, 6-7, 16-17; USTA Comments at 6, 14-15; Voicestream Comments at 7-8; WinStar Comments at 4-6, 21-25.

³ With each passing day that the Commission does not create additional incentives for the states to implement rate center consolidation, NPAs are being assigned unnecessarily.

commissions file petitions requesting additional authority over numbering administration. Each new carrier that enters the market under the current numbering allocation scheme represents a lost opportunity to forestall premature exhaust of NANP numbering resources, because the carrier is forced to request more NXX codes than necessary to serve consumer demand (e.g., less NXXs are necessary where rate centers have been consolidated to the greatest extent possible). Each customer that requests a new service in an area code where jeopardy has been declared either will not receive service if there are insufficient numbers to satisfy the order or will hasten the depletion of currently available numbering resources to satisfy other customer orders. Each time a state commission files a petition with the Commission requesting additional authority over numbering administration, the time and money of the Commission, the industry and the states themselves are squandered. Even worse, elimination of the root causes of artificial numbering exhaust are further delayed.

Because time is of the essence, the Commission must act now to address crucial numbering issues, expediting this proceeding to the greatest extent possible. PCIA urges the Commission to give this proceeding the highest priority and conclude it within the next 120 days. By adopting uniform national guidelines for numbering administration as soon as possible, the Commission will have taken the most important step to solving the numbering crises facing the states, the industry and consumers today.

PCIA also urges the Commission to issue an initial order mandating certain number optimization means as soon as possible, even before the Commission is able to conclude this proceeding on an expedited basis. The initial order should mandate number optimization means that enjoy widespread industry support, can be implemented easily, and will assist the Commission and the states to address immediate numbering crises while this proceeding is

pending. PCIA believes that there is no reason for the Commission to delay adoption of certain measures until its consideration of all measures is completed.

In this way, the Commission can provide relief as soon as possible while giving itself the time to consider fully the more controversial issues. By taking definitive steps at the national level to address the numbering crises immediately at hand, the Commission can ensure that carriers have sufficient numbering resources to meet consumer demand. Moreover, the Commission can stem the tide of individual state requests for additional authority, which consume the resources of the Commission and carriers, as well as the states themselves, and distract attention from developing long-term solutions to numbering questions.⁴ In identifying which number optimization measures to adopt immediately, the Commission should consider what PCIA and the states believe are among the most pressing needs, including NANPA's need to determine number utilization and predict exhaust more accurately.⁵

PCIA submits that the states already have many means available to prevent numbering exhaust and implement area code relief as necessary. For example, the states already have the authority to consolidate rate centers, and they should do so to the greatest extent possible. As discussed in the following sections and in past PCIA pleadings, rate center consolidation allows the most effective means of number utilization. Therefore, states must consolidate rate centers to the greatest extent feasible and as soon as possible. Moreover, the states have the authority to implement area code relief in the form of an all-service overlay or a geographic split. The states should also implement as many new area codes as necessary to

⁴ Each state request jeopardizes the Commission's ability to establish a uniform federal numbering system.

⁵ If NANPA received more accurate and relevant information on a timely basis, it could better ensure the availability of adequate numbering resources.

ensure that adequate numbering resources are available to all carriers. Understandably, state commissions often focus on minimizing the short-term impact of area code relief on consumers rather than on implementing the area code relief or the numbering optimization measure that best ensures the availability of adequate numbering resources. This results in the implementation of stopgap measures that exacerbate numbering exhaust and the avoidance of area code relief or numbering optimization measures that may be perceived as having negative impacts on consumers.⁶ Numbering exhaust is a barrier to entry by new competitors and an impediment to the introduction of new services. It harms consumers by limiting the carriers and services from which they can choose and results in artificially inflated prices for the services that are available.

PCIA agrees with the states, however, that the Commission should amend the current reporting requirements so that NANPA and the states can better predict numbering exhaust. Therefore, PCIA urges the Commission immediately to adopt the Hybrid reporting approach recommended in the NANC report. The Hybrid reporting approach is widely supported in the industry, and its implementation should be relatively easy. The Commission should adopt a rule requiring carriers to provide reports to the NANPA on a semi-annual basis using the Hybrid reporting approach. LNP-capable carriers should be required to report on a 1000 block basis, and non-LNP-capable carriers should be required to report on a NPA-NXX basis. By requiring carriers to report using the Hybrid model, the NANPA will gain more accurate information about numbering utilization trends, which may have a significant impact on this proceeding.

⁶ PCIA also urges the Commission to continue to hold firm in its position that mandatory 10-digit dialing must be used where overlay area codes have been implemented. PCIA accordingly requests the Commission to reject the Illinois Commerce Commission's recent petition for relaxation of the mandatory 10-digit dialing rule.

In order to expedite implementation of the Hybrid model, the Commission should order NANC to revise the COCUS as quickly as possible. As soon as NANC has completed the necessary revisions, the Commission should order the Hybrid model to be implemented.

The Commission should also identify optimization measures that are extremely effective means of delaying current number exhaust. However, the Commission should not take any action at this time that will limit or restrict federal control over numbering administration or that will interfere with the development of a uniform national approach to numbering administration and optimization. If individual states were allowed to consider numbering issues before the conclusion of this proceeding, they would inevitably implement different measures, or even the same measures in different orders or timeframes, which would put carriers that serve states with inconsistent rules into untenable positions. This proceeding is the first effort to promulgate uniform national numbering policy and rules for a competitive telecommunications environment, and its significance cannot be underestimated. PCIA urges the Commission not to lose sight of its ultimate goal of establishing and implementing a *uniform national* numbering policy.

The states, like the Commission, clearly want to implement numbering optimization means that lead to the more effective utilization of numbering resources. However, a few states have implemented means that lead to the stranding of numbers and thus the inefficient utilization of numbering resources. For example, there is a disturbing trend among states to split existing rate centers along municipal boundaries when implementing area code relief in the form of a geographic split.⁷ Splitting rate centers imposes significant costs on

⁷ For example, Arizona, Minnesota and New York have adopted geographic splits that divide currently existing rate centers. See ALTS Comments at 29.

carriers, and thus consumers, leads to significant technical difficulties, and exacerbates numbering exhaust by increasing the number of rate centers that new entrants are required to request. PCIA submits that there can be no justification for splitting rate centers. Indeed, the practice of splitting rate centers flies directly in the face of widespread industry support for rate center consolidation, which is exactly the opposite of rate center splitting. Therefore, PCIA urges the Commission to clarify that the states do not have the authority to split rate centers.

The Commission should also use this proceeding to clarify that the states do not have the authority to order certain numbering measures. First, the Commission should reiterate that the states cannot order non-LNP-capable carriers to participate in number pooling. Second, the Commission needs to clarify that the states cannot require carriers that do not participate in number pooling to use numbers sequentially. Third, the Commission must forbid the states from ordering carriers that do not participate in number pooling to return numbers in blocks of less than 10,000. Fourth, the Commission must reaffirm its requirement of mandatory ten-digit dialing where overlay area codes have been implemented. By identifying impermissible state actions and drawing bright lines between permissible and impermissible actions in this order, the Commission can avoid future disputes about numbering issues.

III. THE COMMENTS REFLECT GROWING INDUSTRY SUPPORT FOR FURTHER RATE CENTER CONSOLIDATION

Rate center consolidation is the cornerstone to effective number conservation, as the overwhelming majority of comments recognize. There is widespread industry consensus that

further rate center consolidation should be explored, particularly in areas where number pooling is being considered.⁸

The Commission should welcome this consensus about the need for rate center consolidation, and should mandate it as part of its numbering plan. Furthermore, the Commission should create incentives for state commissions to ensure that rate centers have been consolidated to the greatest extent feasible before any other form of number optimization is implemented. As PCIA and most of the industry explained in their comments, the Commission can create the proper incentives by requiring rate center consolidation before other forms of number optimization are implemented.

The Commission has already taken the important step of delegating the authority to the states to consolidate rate centers. Now the Commission should guide the states' use of this authority by requiring state commissions to give rate center consolidation priority over less effective and more onerous forms of number optimization. This can be accomplished on a nationwide basis without requiring the Commission to micro-manage the states' exercise of delegated authority. The Commission can allow states to determine when rate centers have been

⁸ See, e.g., Ad Hoc Telecommunications Users Committee Comments at 16-17; Airtouch Comments at 4-8; ALTS Comments at 8, 20-22; AT&T Comments at 33-35; BellSouth Comments at 7, 20-21; Cablevision Lightpath Comments at 7; CBT Comments at 9-10; Colorado PUC Comments at 8-11; Connect Comments at iv, 14-15; Cox Comments at 10-13; CTIA Comments at 18-22; GTE Comments at 33-35; Level 3 Comments at 11-12; Liberty Comments at 3-4; MCI WorldCom Comments at 21-24, Attch. I; Michael A. Sullivan Comments at 3-4; Nextel Comments at 12-16; NEXTLINK Comments at 5-9; Omnipoint Comments at 5-14, 18; PageNet Comments at 3-5; PrimeCo Comments at 5-6; Qwest Comments at 2-3; RCN Comments at 10-12; SBC Comments at 105-106; Sprint Comments at 2-5, 21-22; Time Warner Comments at 10-14; Voicestream Comments at 22-23; WinStar Comments at 11-15. The Commission should pay particular attention to rate center consolidation, because few measures facing the Commission receive the nearly unanimous support of all carriers that rate center consolidation enjoys.

consolidated to the greatest extent possible.⁹ However, PCIA believes that the Commission must create incentives for the states to undertake rate center consolidation, and find that rate centers have been consolidated to the greatest extent possible.

IV. THE COMMENTS REFLECT WIDESPREAD OPPOSITION TO TECHNOLOGY-SPECIFIC OVERLAYS

Just as the industry is unified in its support for rate center consolidation, the industry is unified in its opposition to technology-specific overlays.¹⁰ The Commission should embrace this consensus and continue to maintain its current prohibition of technology-specific overlays. This widespread opposition to technology-specific overlays by all types of carriers is not surprising. As the Commission has repeatedly recognized, technology-specific overlays do not lead to the more efficient utilization of numbering resources, and they discriminate against various types of carriers and consumers.¹¹

⁹ PCIA also believes that the Commission should provide the states with guidelines on when rate centers have been consolidated to the maximum extent possible. For example, where there are multiple rate centers in a local calling area, the multiple rate centers should be consolidated to one rate center. In addition, the Commission should require states within one year to ensure that they have reduced rate centers by 50% from the number they had on passage of the 1996 Act.

¹⁰ See, e.g., AT&T Comments at 68-70; Bell Atlantic Comments at 38-39; BellSouth Comments at 19; Colorado Public Utility Commission Comments at 13; GTE Comments at 74-76; MCI WorldCom Comments at 64; Nextel Comments at 24-25; PageNet Comments at 5-9; PrimeCo Comments at 11; SBC Comments at 100-104; US West Comments at 8 & n.9; USTA Comments at 15; Voicestream Comments at 30-31; WinStar Comments at 45-46.

¹¹ See, e.g., *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Second Report and Order and Memorandum Opinion and Order, 11 FCC Rcd 19392, ¶ 285 (1996) (finding that service- or technology-specific overlays “would be unreasonably discriminatory and would unduly inhibit competition”); *Proposed 708 Relief Plan and 630 Numbering Plan Area Code*, Declaratory Ruling and Order, 10 FCC Rcd 4596 (1995) (same). See also Letter from Ronald R. Conners, Director, North American Numbering Plan Administration, to Geraldine A. Matise, Chief, Network Services Division, Common Carrier Bureau, FCC (March 21, 1996) (explaining that service- and technology-specific overlays “will almost certainly lead to waste of valuable numbering resources, and that they could be viewed as discriminatory”).

Despite almost universal opposition, Omnipoint asks the Commission to reconsider the use of wireless-only or technology-specific overlays “as an additional means of addressing number resource optimization.”¹² PCIA agrees with Omnipoint that wireless providers are comparatively blameless for the current number resource shortages. Therefore, the promise of having a ready-supply of numbering resources allocated solely to wireless carriers is seductive. However, PCIA believes that the better solution is to address the root causes of numbering exhaust.

In any event, PCIA reiterates its belief that there is no justification for implementing discriminatory forms of area code relief like technology-specific overlays because their problems far outweigh their benefits. Technology-specific overlays increase the risk of stranded numbers by reducing the types of carriers that can use any given number.

The Commission should use this proceeding to reemphasize its prohibition on technology-specific overlays, reaffirm that it will not consider requests for authority to implement technology-specific overlays under any circumstances, and clarify that states should not waste precious resources considering the potential merits of technology-specific overlays. The Commission can again close the case on technology-specific overlays and focus on implementing effective and non-discriminatory number optimization measures.

V. THE COMMISSION SHOULD REQUIRE MANDATORY NATIONAL TEN-DIGIT DIALING

PCIA believes that ten-digit dialing is inevitable.¹³ Therefore, the entire nation will have to experience the short-term inconveniences associated with implementation of ten-

¹² Omnipoint Comments at 19.

¹³ The carriers that support mandatory ten-digit dialing also believe that ten-digit dialing is inevitable. *See supra* note 13.

digit dialing at some point in the future. PCIA submits that the inconveniences, the costs, and the political resistance to ten-digit dialing could all be lessened if the Commission mandates ten-digit dialing throughout the nation, at the same time.¹⁴

The comments reflect growing industry consensus for implementation of mandatory ten-digit dialing on a nationwide basis within the next three years.¹⁵ Implementation of ten-digit dialing would remove the largest hurdle to implementing area code relief in the form of all-service overlays and adopting the most efficient means of number optimization: pressure to maintain seven-digit dialing. All service overlays are also the least disruptive form of number relief because existing customers are not required to change their current telephone numbers.

The desire to maintain seven-digit dialing at all costs creates enormous political tensions at the state level, which interferes with the implementation of area code relief and the adoption of numbering optimization means. When numbering administration choices are made to preserve seven-digit dialing rather than to use numbering resources efficiently, numbering resources are squandered and area codes enter jeopardy prematurely. The Commission could eliminate this tension and free the states to make more rational number administration choices by mandating national ten-digit dialing. Moreover, mandatory ten-digit dialing would facilitate

¹⁴ It could nonetheless be implemented on a permissible basis, in areas not facing the same number utilization pressures.

¹⁵ *See, e.g.*, Bell Atlantic Comments at 15-19, 38-39; BellSouth Comments at 15-18; CBT Comments at 14-15; Colorado Public Utility Commission Comments at 11-14; Florida Public Service Commission Comments at 10-11; GTE Comments at 33-37; Liberty Comments at 1-3; Nextel Comments at 23; PrimeCo Comments at 6-7; Small Business Alliance Comments at 8-10; Voicestream Comments at 22-25; US West Comments at 4, 12-16; USTA Comments at 7; WinStar Comments at 9-13, 18-20, 43-45. *See also* ALTS at 28-32 (mandatory where overlay area codes); Ameritech at 35-36 (imposed nationally on a specific date or eliminated); AT&T at 36 (recognizing that ten-digit dialing is inevitable); Connect Comments at 15-16 (recognizing usefulness of ten-digit dialing).

expansion of the NANP in the future if required, and provide the Commission and the states with more flexibility in addressing numbering exhaust.

VI. ALL CARRIERS MUST DO THEIR SHARE TO ENSURE THAT NUMBERING RESOURCES ARE UTILIZED EFFICIENTLY

PCIA agrees with the idea expressed in many comments that all carriers share an equal responsibility to ensure that numbering resources are utilized efficiently. Not all carriers must, or even can, meet this burden in the same way. As such, PCIA takes no position with respect to whether number pooling should be implemented for wireline carriers. However, PCIA would like to reiterate wireless carriers should not, and cannot, be required to participate in number pooling.¹⁶ Nonetheless, wireless carriers should be required to continue to utilize numbers as effectively as carriers that participate in number pooling.

A. There Is No Basis For Requiring CMRS Providers To Participate In Number Pooling

PCIA notes that there is no record support for requiring CMRS providers to participate in number pooling. Representatives from virtually all industry segments agree that there is no justification for requiring CMRS providers to participate in number pooling.¹⁷ As PCIA explained in its comments, it is far from certain that there is any benefit to be gained by requiring CMRS carriers to participate in pooling. Wireless carriers, by anyone's measure, are the most efficient users of numbering resources. Moreover, CMRS carriers would be subjected

¹⁶ This is equally the case for those CMRS carriers that are not required to implement LNP.

¹⁷ See, e.g., BellSouth Comments at 22-24; CTIA Comments at 25-31; GTE Comments at 38-40, 48-51; Omnipoint Comments at 22-23; US West Comments at footnote 37; Voicestream Comments at 26.

to significant additional costs to participate in number pooling.¹⁸ PCIA submits that the Commission should not impose costs when there is no proven benefit to be gained. Imposing costs where there is no identifiable benefit would be directly contrary to the 1996 Act and the Commission's policies. Every dollar spent on numbering optimization measures that do not result in tangible benefits is squandered, and prevents carriers from installing switches in other markets or adding new services. This is equally true for the wireless affiliates of ILECs, who are sometimes the 5th or 6th entrant to certain wireless markets, which means that these carriers must carefully manage available resources to compete effectively.

B. Non-LNP-Capable Carriers Cannot Participate In Number Pooling

Carriers that cannot port numbers, or that have not implemented SS7, cannot participate in number pooling, as the Commission and the industry has long recognized.¹⁹ Only carriers that are capable of porting numbers can provide services to their customers in a number pooling environment in the same way as they can in a non-pooling environment. By requiring non-LNP-capable carriers to use Type 1 interconnection, and only Type 1 interconnection, it might be possible for non-LNP-capable carriers to receive numbers in blocks of 1,000. With this

¹⁸ Indeed, there are numerous reasons why CMRS carriers cannot be subject to number pooling. First, a significant segment of the CMRS industry is not SS7 compliant, so they are incapable of dealing with LRN/LNP. Second, those carriers that are SS7 compliant nonetheless are not LNP-capable, so they cannot utilize number pooling in the same way as wireline carriers who are both SS7 and LNP-capable.

¹⁹ See, e.g., ALTS Comments at 23-24; Ameritech Comments at 37-40, 43; AT&T Comments at 45-48; BellSouth Comments at 22-24; CBT Comments at 11; Cox Communications, Inc. Comments at 14-15; CTIA Comments at 25-30; GTE Comments at 43-44, 48-53; Level 3 Comments at 12-14; Nextel Comments at 19-20; NEXTLINK Comments at 9-10 & nn.21-22; NTCA Comments at 5; Qwest Comments at 4; SBC Comments at 75-79; Time Warner Comments at 6-8; US West Comments at 23 n.37; Voicestream Comments at 25-26.